



3763

Docket No. CRD-957

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Christian Lentz et. al.

Serial No. : 09/966,447

Art Unit: 3763

Filed : September 28, 2001

Examiner: Not Yet Assigned

For : COATED MEDICAL DEVICES

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9/21/04

(Date of Deposit)

Carl J. Evens

(Name of applicant, assignee, or Registered Representative)

(Signature)

9/21/04

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on December 17, 2001, April 9, 2002, November 18, 2003, February 23, 2004 and May 13, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the

information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or

an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: English language equivalent is provided for: JP2000237289 - EP1040840.

CN85100493 and CN85100493 were cited by the Chinese Patent Office in the corresponding CN application.

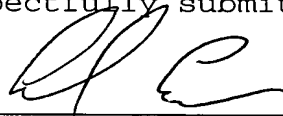
☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed November 18, 2003, February 23, 2004 and May 14, 2004.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD-957/CJE. This form is submitted in triplicate.

Respectfully submitted,



\_\_\_\_\_  
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DATED:



SUBMISSION UNDER MPEP 609 D

Page 1 of 1

Application Number	09/966,447
Filing Date	September 28, 2001
First Named Inventor	David Christian Lentz
Group Art Unit	3763
Examiner Name	Not Yet Assigned
Attorney Docket Number	CRD-957

## U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	U.S. Patent Document		Pages, Columns, Lines, where relevant passages or relevant figures appear
			Number	Kind Code <sup>2</sup> (if known)	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Patent Document			Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
			Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>		

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		EPO Search Report dated March 26, 2004, for corresponding EP application 03256584	
		Chinese Official Action dated May 21, 2004, for corresponding CN application 01819649.7	

Examiner Signature	Date Considered
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 6

<b>Application Number</b>	09/966,447
<b>Filing Date</b>	September 28, 2001
<b>First Named Inventor</b>	David Christian Lentz
<b>Group Art Unit</b>	3763
<b>Examiner Name</b>	Not Yet Assigned
<b>Attorney Docket Number</b>	CRD-957

**U.S. PATENT DOCUMENTS**

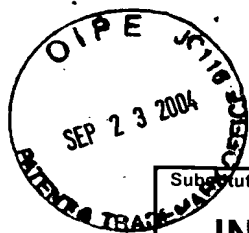
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,051,677	A	Rexford	08-28-1962	
		3,726,279	A	Barefoot et al.	04-10-1973	
		3,779,805	A	Alsberg	12-18-1973	
		3,974,526	A	Dardik et al.	08-17-1976	
		4,118,532	A	Homsy	10-03-1978	
		4,413,359	A	Akiyama et al.	11-08-1983	
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		4,739,762	A	Palmaz	04-26-1988	
		4,749,585	A	Greco et al.	06-07-1988	
		4,871,357	A	Hsu et al.	10-03-1989	
		4,876,109	A	Mayer et al.	10-24-1989	
		5,041,100	A	Rowland et al.	08-20-1991	
		5,047,020	A	Hsu	09-10-1991	
		5,049,132	A	Shaffer et al.	09-17-1991	
		5,061,276	A	Tu et al.	10-29-1991	
		5,061,750	A	Feijen et al.	10-29-1991	
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		5,176,972	A	Bloom et al.	01-05-1993	
		5,213,576	A	Abiuso et al.	05-25-1993	
		5,234,447	A	Kaster et al.	08-10-1993	
		5,306,250	A	March et al.	04-26-1994	
		5,308,862	A	Ohlstein	05-03-1994	
		5,328,471	A	Slepian	07-12-1994	
		5,336,518	A	Pallassana et al.	08-09-1994	
		5,342,621	A	Eury	08-30-1994	
		5,368,566	A	Crocker	11-29-1994	
		5,383,853	A	Jung et al.	01-24-1995	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 2 of 6

Application Number	09/966,447
Filing Date	September 28, 2001
First Named Inventor	David Christian Lentz
Group Art Unit	3763
Examiner Name	Not Yet Assigned
Attorney Docket Number	CRD-957

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,393,772	A	Yue et al.	02-28-1995	
		5,409,696	A	Narayanan et al.	04-25-1995	
		5,417,969	A	Hsu et al.	05-23-1995	
		5,429,634	A	Narcisco	07-04-1995	
		5,439,446	A	Barry	08-08-1995	
		5,441,947	A	Dodge et al.	08-15-1995	
		5,443,458	A	Eury	08-22-1995	
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		5,551,954	A	Buscemi et al.	09-03-1996	
		5,556,413	A	Lam	09-17-1996	
		5,569,197	A	Helmus et al.	10-29-1996	
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		5,574,059	A	Regunathan et al.	11-12-1996	
		5,575,818	A	Pinchuk	11-19-1996	
		5,580,873	A	Bianco et al.	12-03-1996	
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		5,616,608	A	Kinsella et al.	04-01-1997	
		5,620,984	A	Bianco et al.	04-15-1997	
		5,621,102	A	Bianco et al.	04-15-1997	
		5,622,975	A	Singh et al.	04-22-1997	
		5,629,315	A	Bianco et al.	05-13-1997	
		5,632,771	A	Boatman et al.	05-27-1997	
		5,632,776	A	Kurumatani et al.	05-27-1997	

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 6 of 6

Application Number	09/966,447
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		Number	Kind Code <sup>2</sup> (if known)			
		6,626,920	B2	Whayne	09-30-2003	
		6,648,901	B2	Fleischman et al.	11-18-2003	
		2002/013591	A1	Campbell et al.	01-31-2002	
		2002/133183	A1	Lentz et al.	09-19-2002	

### FOREIGN PATENT DOCUMENTS

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		CN	85 1 00445	A		07-09-1986		No
		CN	85 1 00493	A		08-13-1986		No
		EP	0 747 069	A2	Cook Incorporated	12-11-1996		
		EP	1 040 840	A1	Ethicon, Inc.	10-04-2000	JP2000237289	
		JP	2000237289	A	Ethicon, Inc.	09-05-2000	EP1040840A1	No
		WO	96/00093	A1	Kimberly-Clark	01-04-1996		
		WO	00/24339	A	Berrekouw	05/04/2000		
		WO	00/27441	A1	AGA Gas Inc.	05-18-2000		
		WO	01/87342	A2	Cordis Corporation	11-22-2001		
		WO	01/87376	A1	Cordis Corporation	11-22-2001		

### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Encyclopedia of Polymer Science and Engineering, Vol. 7 "Fluorocarbon Elastomers" (March 1989) pp 257-267.	
		VERWEIRE ET AL, "Evaluation of Fluorinated Polymers as Coronary Stent Coating", Journal of Materials Science: Materials in Medicine 11 (April 2000).	

Examiner Signature	Date Considered
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Sheet 3 of 6

Application Number	09/966,447
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First Named Inventor	David Christian Lentz
Group Art Unit	3763
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		Number	Kind Code <sup>2</sup> (if known)			
		5,635,201	A	Fabo	06-03-1997	
		5,643,939	A	Ohlstein	07-01-1997	
		5,648,357	A	Bianco et al.	07-15-1997	
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		5,651,174	A	Schwartz et al.	07-29-1997	
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		5,725,549	A	Lam	03-10-1998	
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		5,780,476	A	Underiner et al.	07-14-1998	
		5,782,908	A	Cahalan et al.	07-21-1998	
		5,788,979	A	Alt	08-04-1998	
		5,792,772	A	Bianco et al.	08-11-1998	

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Sheet 4 of 6

Application Number	09/966,447
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		Number	Kind Code <sup>2</sup> (if known)			
		5,798,372	A	Davies et al.	08-25-1998	
		5,807,861	A	Klein et al.	09-15-1998	
		5,811,447	A	Kunz et al.	09-22-1998	
		5,827,587	A	Fukushi	10-27-1998	
		5,858,990	A	Walsh	01-12-1999	
		5,873,904	A	Ragheb et al.	02-23-1999	
		5,876,433	A	Lunn	03-02-1999	
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		5,891,108	A	Leone et al.	04-06-1999	
		5,897,911	A	Loeffler	04-27-1999	
		5,900,246	A	Lambert	05-04-1999	
		5,902,266	A	Leone et al.	05-11-1999	
		5,922,393	A	Jayaraman	07-13-1999	
		5,932,299	A	Katoot	08-03-1999	
		5,951,586	A	Berg et al.	09-14-1999	
		5,957,971	A	Schwartz	09-28-1999	
		5,972,027	A	Johnson	10-26-1999	
		5,976,534	A	Hart et al.	11-02-1999	
		5,977,163	A	Li et al.	11-02-1999	
		5,980,553	A	Gray et al.	11-09-1999	
		5,980,566	A	Alt et al.	11-09-1999	
		5,980,972	A	Ding	11-09-1999	
		5,981,568	A	Kunz et al.	11-09-1999	
		5,985,307	A	Hanson et al.	11-16-1999	
		5,997,468	A	Wolff et al.	12-07-1999	
		6,004,346	A	Wolff et al.	12-21-1999	
		6,030,663	A	McClain et al.	02-29-2000	

Examiner Signature	Date Considered
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Sheet 5 of 6

Application Number	09/966,447
Filing Date	September 28, 2001
First Named Inventor	David Christian Lentz
Group Art Unit	3763
Examiner Name	Not Yet Assigned
Attorney Docket Number	CRD-957

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		6,039,721	A	Johnson et al.	03-21-2000	
		6,059,813	A	Vrba et al.	05-09-2000	
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SUBMISSION UNDER MPEP 609 D  Page 1 of 1	<i>Application Number</i>	09/966,447
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**FOREIGN PATENT DOCUMENTS**

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			Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>		

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		EPO Search Report dated March 26, 2004, for corresponding EP application 03256584	
		Chinese Official Action dated May 21, 2004, for corresponding CN application 01819649.7 (with English language translation).	

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